

NEBRASKA DEPARTMENT  
OF INSURANCE

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Petition and Notice of Hearing on August 30, 2002, as evidenced by the return receipt card attached to Exhibit # 1.

4. On or about June 2000, Doug Huggenberger's Farmers Mutual Insurance Company of Nebraska farm insurance policy was cancelled for nonpayment of premium. The Respondent represented to Mr. Huggenberger that he would reinstate the insurance policy. The Respondent failed to reinstate the insurance policy and misrepresented to Mr. Huggenberger that the insurance policy had been reinstated when it had not.

5. The Huggenberger's Farmers Mutual Insurance Company of Nebraska insurance policy was cancelled and a refund of premium of \$1,589.00 was sent to the Respondent. On or about June 16, 2000, the Respondent deposited the check into his insurance agency account and failed to provide the refund to Mr. Huggenberger.

6. On or about June 2001, Mr. Huggenberger suffered a loss that would have been covered by his farm insurance policy. The Respondent failed to submit the claim to Farmers Mutual Insurance Company and instead paid the \$960.00 claim with funds from his insurance agency account.

7. On or about May 1, 2002, a Department investigator sent the Respondent a letter requesting a response to a complaint filed by Mr. Huggenberger. The Respondent failed to respond to the inquiry within fifteen working days.

8. On or about December 2000, Brandon Gutzmann submitted a claim to the Respondent for coverage under his Farmers Mutual of Nebraska automobile insurance policy. The Respondent failed to report the claim to Farmers Mutual of Nebraska and instead on or about January 15, 2001, paid the \$765.00 claim to Mr. Gutzmann with funds from the Respondent's insurance agency account.

### CONCLUSIONS OF LAW

1. The Department has jurisdiction and control over the licensing of Respondent to sell insurance in the State of Nebraska pursuant to Neb.Rev.Stat. §44-101.01 and §44-4001 et seq.
2. The Department has personal jurisdiction over Respondent.
3. The Respondent violated Neb.Rev.Stat. §44-4028(2), (11), (17) and §44-4059(1)(d)(g) and (h).

### RECOMMENDED ORDER

Based on the Findings of Fact and Conclusions of Law, it is recommended that:

1. The Respondent's insurance producer license be revoked and that the Respondent pay an administrative fine of \$500.00 to the Department.

Dated this 10<sup>th</sup> day of October, 2002.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE


  
Manuel Montelongo  
HEARING OFFICER

### CERTIFICATE OF ADOPTION

I have reviewed the foregoing Findings of Fact, Conclusions of Law, and Recommended Order and hereby certify that the Recommended Order is adopted as the official and final Order of this Department in the matter of Michael J. Renning, Cause No. A-1479.

Dated this 15<sup>th</sup> day of October, 2002.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE

  
L. TIM WAGNER  
Director of Insurance

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Findings of Fact, Conclusions of Law, Recommended Order, and Order was served upon the Respondent by mailing a copy to Respondent at 1306 Nebraska Street, Emerson, Nebraska 68733 by certified mail, return receipt requested, on this 15<sup>th</sup> day of October, 2002.

*Stacey M. Bulfinch*